

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

RAHILA KHAN,

No. 3:12-cv-01107 LB

Plaintiff,

**ORDER EXTENDING THE
BRIEFING DEADLINES AND THE
HEARING DATE FOR
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

v.

RECONTRUST COMPANY, et al.

Defendants.

[Re: ECF No. 155]

Bank of America filed a motion for summary judgment on May 12, 2015. (Motion, ECF No. 152.) Ms. Khan, who is proceeding pro se but nevertheless is an e-filer on the court's ECF system, was served with the motion via ECF notification on that same day. This means that the deadline for her to file an opposition to Bank of America's motion was May 26, 2015. N.D. Cal. Civ. L.R. 7-3(a). On that day, instead of filing an opposition, Ms. Khan filed a letter asking for more time because she never received a hard copy of the motion and exhibits from Bank of America. (Letter, ECF No. 155.) Correspondence between Ms. Khan and Bank of America, however, shows that Bank of America's counsel sent Ms. Khan, as a courtesy, PDF files of the documents and also printed the documents for her to pick up at Bank of America's counsel's office, per Ms. Khan's request. (*See* Wittemore Decl., Exs. A-F, ECF No. 156.) She never picked them up. (*Id.* ¶ 10.)

Regardless, the issue now is what to do about the briefing on and hearing date for Bank of

1 America's pending summary judgment motion. Given her pro se status and good faith efforts during
2 this litigation, the court will give her until Monday, June 8, 2015 to file an opposition to Bank of
3 America's motion for summary judgment. The court asks that Bank of America mail Ms. Khan a
4 hard copy of its motion and accompanying documents. Ms. Khan may either arrange to pick up the
5 hard copy documents that apparently are still waiting for her at Bank of America's counsel's office
6 or wait to receive them in the mail, but in either case her opposition must be filed by June 8, 2015.
7 Bank of America may file any reply by June 15, 2015. The court also continues the hearing on the
8 motion from June 18, 2015 to June 25, 2015 at 9:30 a.m. in Courtroom C, 15th Floor, United States
9 District Court, 450 Golden Gate Avenue, San Francisco, California 94102.

10 It also appears that Bank of America never sent chambers copies of its motion and
11 accompanying documents to the court. The court orders Bank of America to deliver chambers copies
12 to the court no later than 12:00 p.m. on Thursday, May 28, 2015.

13 **IT IS SO ORDERED.**

14 Dated: May 27, 2015



15 LAUREL BEELER
16 United States Magistrate Judge
17
18
19
20
21
22
23
24
25
26
27
28